

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

BENJAMIN SPARKS,

Plaintiff,

vs.

CHRISTINA MAMER, *et al.*,

Defendant.

2:20-cv-00661-KJD-VCF

**ORDER GRANTING MOTION FOR
CLARIFICATION ECF No. 33**

Before the Court is Defendant Christina Mamer's Motion for Clarification of Court's Order (ECF NO. 32) ECF No. 33. The time to oppose this motion has passed and no opposition has been filed. Under LR 7-2(d), the failure of an opposing party to file points and authorities in response to any motion, except a motion under Fed. R. Civ. P. 56 or a motion for attorney's fees, constitutes a consent to the granting of the motion.

For the reasons stated in the motion, Defendant Mamer asks that the court clarify, "whether the Court intends to substantively rule on her motion to dismiss for failure to timely serve process (ECF No. 21), or if the court has deemed it is now moot in light of the Court's Order of August 27, 2020 (ECF No. 32) that extended time for plaintiff to serve [defendant Mamer]."

Accordingly,

IT IS HEREBY ORDERED that Defendant Mamer's Motion for Clarification is GRANTED. The court intends to substantively rule on her motion to dismiss for failure to timely serve process (ECF No. 21). The court has not deemed that the issues raised in ECF No. 21 are now moot in light of ECF No. 32.

DATED this 5th day of October, 2020.



CAM FERENBACH
UNITED STATES MAGISTRATE JUDGE